HIGH COURT OF UTTARANCHAL AT NAINITAL

Government Appeal No. 1616 of 2001
(Old No. 369 of 2000)

State of U.P. .....Appellant

Versus

1. Bakshi Singh s/o Basakh Singh, 483 Khurbura Mohalla, District Dehradun
2. Ravi Bisht s/o Jaiprakash r/o 5 P.d. Tandan Marg, Dehradun
3. Monco alisas Amarjeet s/o Gajednra Singh, 20 Sarshwati Soni Marg, Dehradun
4. Balvindra s/o Swaroop Singh, R/o 73, Guru Road, Dehradun. .....Respondents

Dated: 13.12.2006

Hon'ble Rajesh Tandon, J.

This is an application under section 378 (3) Cr.P.C. for leave to appeal, against the judgment and order dated 12.8.1999 passed by the Additional Sessions Judge, Dehradun in Sessions Trial No. 54 of 1997, thereby acquitting the accused persons for the offence punishable under section 307 I.P.C.

Heard learned A.G.A. for the applicant State.

I have gone through the judgment and order passed by the Additional Sessions Judge. The trail court has acquitted the accused persons on the ground of major contradictions in the statements of the prosecution witnesses. The findings of the trail Court are based on the scrutiny of the evidence available on record. There appears no ground for appeal. The application for leave to appeal is, therefore, rejected.

Consequently, the appeal is also dismissed.

Dated: 13.12.2006 (**Rajesh Tandon, J.)**

*Dhyani